

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SONNY W. LOGGINS,

Petitioner,

v.

**ROBERT ARNOLD, SHERIFF,
Rutherford County, Tennessee,**

Respondent.

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Case No. 3:11-mc-00040

Judge Sharp

ORDER

Petitioner Sonny W. Loggins, a state prisoner presently detained at the Rutherford County Adult Detention Center, a correctional facility under the supervision of Rutherford County Sheriff Robert F. Arnold, seeks to file a *pro se* habeas corpus petition in this court. (ECF No. 1.) Petitioner, however, has failed either to submit the \$5.00 fee or an application to proceed *in forma pauperis*.¹ The petition may not be filed or considered unless it is accompanied by the appropriate fee, 28 U.S.C. § 1914(a), or an application to proceed *in forma pauperis*, 28 U.S.C. § 1915(a).

The Clerk is **DIRECTED** to send the petitioner a blank application to proceed *in forma pauperis* and a copy of Administrative Order No. 93.

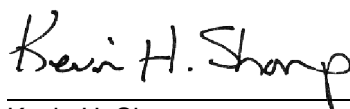
The plaintiff, in turn, is **DIRECTED** to do one of the following within thirty (30) days of the date that he receives this order:

- (1) pay \$5.00 filing fee; or
- (2) complete the application to proceed *in forma pauperis* in accordance with Administrative Order No. 93, and return the properly completed application to the district court with a certified copy of his inmate trust fund account statement for the 6-month period immediately preceding the date of the entry of this order, as required under 28 U.S.C. § 1915(a)(2).

¹ Plaintiff states that he is aware that he is required pursuant to 28 U.S.C. § 1914(a) to pay the \$5.00 filing fee, and that he has sufficient funds in his inmate trust account to pay the fee, but that the Rutherford County Adult Detention Center will not issue a check from his inmate account without a court order.

The petitioner is forewarned that if he does not comply with this order within the time frame specified, the court will dismiss the action for failure to prosecute and to comply with the court's order. An extension of time to comply with this order may be requested from this court if a motion for an extension of time is filed within thirty (30) days of the date of entry of this order. *Floyd v. U.S. Postal Serv.*, 105 F.3d 274, 279 (6th Cir. 1997), superseded on other grounds by Rule 24, Fed. R. App. P.

It is so **ORDERED**.

A handwritten signature in black ink, reading "Kevin H. Sharp". The signature is written in a cursive, flowing style. The first name "Kevin" is written with a large, prominent "K". The last name "Sharp" is written with a large, prominent "S". The signature is positioned above a horizontal line.

Kevin H. Sharp
United States District Judge